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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,092	10/12/2000	Andrew E. Blau	CA9-1998-0006	9550

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EXAMINER
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CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 05/05/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

P26

**Office Action Summary**

Application No.

09/687,092

Applicant(s)

BLAU ET AL.

Examiner

Truc T Chuong

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-22 and 24-30 is/are rejected.
- 7) ☒ Claim(s) 6 and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

### **DETAILED ACTION**

1. This communication is responsive to the communication, filed 02/18/04.
2. Claims 1-30 are pending in this application. Claims 1, 11, 16, 18, 29 and 29 are independent claims. This action is made final.
3. In view of the Appeal Brief filed on 02/18/04, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:  

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
5. Claim 13 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 13 is a system claim; however, it is missing a control component or a readable medium to perform the instructions as claimed.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence claimed in claims 1, 11, and 12 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in page 13 at lines 12-16 of the Specification. In the Specification, applicant has stated “When a user adds a note to the error message, the note is stored in the second message file”, and this statement indicates that the invention is different from what is defined in the claim(s) because, for example, in claim 1 lines 4-5, the Applicant claimed “associating said annotation with said compiler error message using a unique key and storing said annotation in said separate empty error file (storing the annotation in the same file which stores the compiler error message)”; and in claim 13 at line 3, the Applicant claimed “a second file (NOT in the same file) for storing a plurality of annotations”; therefore, there is no way that the annotation and the compiler error message can be selectively displayed as claimed in claims 1, 11, and 12.

Examiner will assume that there is only one file to store both the annotation and the compile error message when rejecting claims 1, 11, and 12.

Other claims are also rejected because of their dependency.

***Claim Rejections - 35 USC § 103***

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-5, 7-22 and 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller (U.S. Patent No. 5,673,390) in view of Hughes (U.S. Patent No. 6,275,223 B1).

As to claim 1, Mueller teaches a method for managing compiler error messages, comprising the steps of:

displaying a compiler error message having a separate empty file to a user (errors detected by the compiler after compilation is done, col. 4 lines 7-8; Error List is a separate file, col. 5 lines 35-54 and fig. 3; and Error List can be empty if there is no error during compiling, col. 8 lines 1-6);

displaying Error List with modifying data allows a user to find a specific error in the file (col. 3 lines 35-45, and col. 7 lines 12-22, 40-45);

Although Mueller also shows modifying data in the Error List (col. 3 lines 35-45, and col. 7 line 41) and a unique key (each error message in the source file will be marked using a label, and this allows highlighting the appropriate message in the Error List, col. 9 lines 9-13), Mueller does not clearly point out that an edit panel is accepting from user as an annotation, associating the annotation with the compiler error message using a unique key, and storing the annotation in said separate empty file.

Hughes clearly teaches of editing annotation window (col. 14 lines 52-57, and fig. 18), using unique key (each annotation identifying a line number of code, col. 5 lines 42-45, col. 13

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lines 52-60, and annotation window 1508 of fig. 18), storing annotations (col. 16 lines 4-5). It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to have the editable annotation data of Hughes in the Error List of Mueller to allow users to easily find and edit specific errors in a program code during compiling.

As to claim 2, Mueller teaches the method of claim 1, said selectively displaying step further comprising the steps of:

displaying with said compiler error message indicia representing the existence of said annotation (each error message will be marked with a label, col. 3 lines 35-45, col. 9 lines 10-13);

selectively receiving from said user a request to display said annotation (displaying the error list, col. 8 lines 25-40, and col. 9 lines 15-20); and

displaying said annotation with said compiler error message (col. 3 lines 35-45, and col. 7 line 41).

As to claim 3, Mueller in view of Hughes teaches the method of claim 1, said accepting step further comprising the steps of:

selectively presenting to said user an edit panel (Hughes, col. 14 lines 52-57, and fig. 18); and

receiving from said user said annotation input associated with said compiler error message to said edit panel (Hughes, fig. 18).

As to claim 4, Mueller in view of Hughes teaches the method of claim 1, further comprising the steps of:

selecting a compiler error message having a first key from a first file of compiler error messages for display to said user; and associating in a second file said annotation to said selected compiler error using a second key message in said first file (Hughes, annotation data and matching the line numbers of the original source code and the new source code, col. 3 lines 58-67, and col. 13 lines 52-60).

As to claim 5, Mueller teaches the method of claim 4, further comprising the steps of:  
providing compiler error message identifying indicia for each compiler error message in said first file; generating annotation identifying indicia as a function of said compiler error message identifying indicia (col. 3 lines 35-45, col. 9 lines 10-13, and Hughes, each annotation identifying a line number of code, col. 5 lines 42-45, col. 13 lines 52-60, and annotation window 1508 of fig. 18 ).

As to claim 7, it is a combination of claims 1-2. Note the rejection of claim 1-2 above.

As to claim 8, Mueller in view of Hughes teaches the method of claim 7, further comprising the steps of:

preserving a history of compiler error messages presented to said user (Hughes, col. 6 lines 22-23);

enabling user selection for one of said compiler error messages from said history of compiler error messages (Hughes, col. 13 lines 22-36, and Mueller, Timestamp and Version, col. 11 lines 14-35); and

selectively receiving from said user an annotation to the compiler error message selected from said history (Hughes, col. 14 lines 22-36, and Mueller, displaying the error list, col. 8 lines 25-40, and col. 9 lines 15-20).

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As to claim 9, Mueller in view of Hughes teaches the method of claim 1, further comprising the step of presenting said annotation to other users receiving said compiler error message (Hughes, communicate over the Network, col. 14 lines 22-26).

As to claim 10, Mueller in view of Hughes inherently teaches the method of claim 4, further comprising the step of enabling access by other users to said second file containing said annotations associated with said compiler error messages because Hughes's workstations are communicated over the Network (col. 14 lines 20-25), and second code display window 1502 (col. 12 lines 23-37) of fig. 15 can be viewed and controlled throughout the Network.

As to claim 11, it is individually similar in scope to claim 1 above; therefore, rejected under similar rationale.

As to claim 12, this is a system claim of method claim 1. Note the rejection of claim 1 above.

As to claim 13, Mueller in view of Hughes teaches a system for presenting compiler error messages in a user display, comprising:

a first file for storing a plurality of compiler error messages, each said compiler error message identified by a message key (each error message in the source file will be marked using a label, and this allows highlighting the appropriate message in the Error List, col. 9 lines 9-13, Hughes, col. 6 lines 22-23);

a second file for storing a plurality of annotations, each said annotation associated with a corresponding one of said compiler error messages (Hughes, col. 4 lines 27-29, col. 14 lines 1-25 and fig. 16);



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a first event driven control component for selecting from said first file and displaying a compiler error message from said first file in said user display (Hughes, col.14 lines 27-36);

a second event driven control component for determining the presence in said second file of an annotation associated with said displayed compiler error message (Hughes, col.14 lines 19-21); and

a third event driven control component for displaying using a unique key said associated annotation in said user display (Hughes, col. 14 lines 40-57, identifying a line number and storing annotation data, col. 5 lines 42-47).

As to claim 14, Mueller in view of Hughes teaches the system of claim 13, further comprising a fourth control component responsive to entry in said user display of an annotation to a displayed compiler error message, for adding said annotation to said second file using a unique key associated with said displayed compiler error message (col. 3 lines 35-45, and col. 7 lines 12-22, 40-45, Hughes, edit annotation window, col. 14 lines 52-57 and fig. 18).

As to claim 15, Mueller in view of Hughes teaches the system of claim 14, further comprising an editor for receiving via an annotation panel in said user display said annotation (Error List with modifying data allows a user to find a specific error in the file ,col. 3 lines 35-45, and col. 7 lines 12-22, 40-45; Hughes, edit annotation window, col. 14 lines 52-57 and fig. 18).

As to claims 16 and 17, these are computer program product claims of claim 1. Note the rejections of claim 1 above.

As to claim 18, this is a computer program product claim of system claim 12. Note the rejection of claim 12 above.

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As to claims 19-22, and 24-30, they are computer program product claims of method claims 2-5, 7-11 and 13-14. Note the rejections of claims 2-5, 7-11 and 13-14 above respectively.

***Allowable Subject Matter***

9. Claims 6 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance in combination with other claim limitations:

The prior art of record fails to teach:

The step of upon presenting a compiler error message from said first file, determining the presence of a corresponding annotation in said second file using said second key; responsive to the presence of said corresponding annotation, displaying with said compiler, error message indicia representing the existence of said annotation; selectively receiving from said user a request to display said annotation; and

responsive to receiving the request from said user, displaying said annotation with said compiler error message using said second key.

***Response to Arguments***

Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Goli et al. (U.S. Patent No. 6,418,543 B1) teach log file, automated error report, identification, and GUI (cols. 2-11, and figs. 3-20).

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

04/30/04

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